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WHEREFORE Plaintiff respectfully requests this Honorable Court dismiss this action with prejudice.

Dated: October 30, 2017.

Respectfully submitted,

/s/ Marc J. Randazza

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CERTIFICATE OF CONFERRAL

Pursuant to L.R. 7.1, I hereby certify that on October 30, 2017, attorneys for the parties conferred via telephone and have attempted in good faith to resolve or narrow the issue.

/s/ Marc J. Randazza

Marc J. Randazza

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on October 30, 2017.

/s/ Marc J. Randazza

Marc J. Randazza